

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

ROBERT ALPERT, *et al.*, §  
§  
Plaintiffs, §  
§  
VS. § CIVIL ACTION NO. H-04-CV-3774  
§  
MARK R. RILEY, *et al.*, §  
§  
Defendants. §

**ORDER**

Mark Riley has moved to modify the preliminary injunction this court entered on March 29, 2010. (Docket Entry No. 334). The plaintiffs have responded. (Docket Entry No. 352). The parties have presented arguments on the motion at two separate hearings. (Docket Entry Nos. 345, 354). As stated on the record at the hearing held today, Riley's motion is denied.

This ruling does not affect the rights or obligations of Riley's present or former attorneys. This court has received a letter from Edward Hennessy, one of Riley's former attorneys, and Billy Shepherd, who represents Crain, Caton & James, P.C., a law firm that represents Riley in the probate court. The rights and obligations of these attorneys and any other attorneys who received money from the Alpert Trusts as payment for legal services from Riley who may be subject to the preliminary injunction will be addressed separately. A hearing on those issues is set for **July 15, 2010 at 2:00 p.m.** in Courtroom 11-B. Attorneys who are subject to the preliminary injunction may file briefs by **June 18, 2010**. Responsive briefs are due by **July 9, 2010**. The plaintiffs will provide a copy of this order to any attorneys who may be affected by the preliminary injunction.

SIGNED on May 28, 2010, at Houston, Texas.

  
Lee H. Rosenthal  
United States District Judge